

June 5, 2000



*Sector*

Assistant Commissioner for Patents  
Washington, DC 20231

**Attention: Box Missing Parts**

Re: U.S. Utility Application No. 09/521,640  
Filed: March 10, 2000  
For: Nucleic Acid Molecules and Other  
Molecules Associated with Plants  
Inventors: Joseph R. BYRUM *et al.*  
Atty. Docket: 04983.0120.US01/38-21(15750)D

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Response to Notice to File Missing Parts of Nonprovisional Application;
2. Copy of Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted;
3. Combined Declaration and Power of Attorney for Patent Application, executed by inventor Joseph R. Byrum (3 pages);
4. Combined Declaration and Power of Attorney for Patent Application, executed by inventor Conrad H. Halling (3 pages);
5. Combined Declaration and Power of Attorney for Patent Application, executed by inventor David K. Kovalic (3 pages);
6. Information Disclosure Statement;
7. Form PTO-1449 (1 page), with 8 accompanying documents;
8. Our Check No. 329292 in the amount of \$820.00 to cover the basic filing fee and the surcharge for late filing of the Declaration; and
9. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

June 5, 2000

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Sincerely,



David R. Marsh (Reg. No. 41,408)

June E. Cohan (Reg. No. 43,741)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joseph R. BYRUM *et al.*

Appln. No.: 09/521,640

Filed: March 10, 2000

For: Nucleic Acid Molecules and Other  
Molecules Associated with Plants

Art Unit:

Examiner: To Be Assigned

Atty. Docket: 04983.0120.US01/  
38-21(15750)D



**Response to Notice to File Missing Parts of Nonprovisional Application**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted dated April 3, 2000, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted;
2. Combined Declaration and Power of Attorney for Patent Application, executed by inventors Joseph R. Byrum (3 pages);
3. Combined Declaration and Power of Attorney for Patent Application, executed by inventor Conrad H. Halling (3 pages);
4. Combined Declaration and Power of Attorney for Patent Application, executed by inventor David K. Kovalic (3 pages);
5. Return postcard; and
6. Howrey & Simon Check No. 329292 for \$ 820.00 to cover:

\$ 690.00 Filing Fee for Patent Application (37 C.F.R. § 1.16); and  
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

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05 FC:105 130.00 DP

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. A duplicate copy of this Response is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,471)

Date: June 5, 2000 (enclosed)

HOWREY SIMON ARNOLD & WHITE, LLP  
Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2402  
(202) 783-0800

## FORMALITIES LETTER



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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231101  
105

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/521,640	03/10/2000	Joseph R Byrum	04983.0120.usol/38-21(157

22930  
HOWREY SIMON ARNOLD & WHITE LLP  
BOX 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004



Date Mailed: 04/03/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 820.**

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*A copy of this notice **MUST** be returned with the reply.*

*[Signature]*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE